

BOROUGH OF LAKEHURST
REMINDER: REDEVELOPMENT MEETING BEGINNING
AT 7:00 P.M.

REDEVELOPMENT AGENCY
NOVEMBER 1, 2018
TENTATIVE AGENDA

1. Approval of Minutes of October 4, 2018 meeting
2. Any other business
3. Adjournment

WORK SESSION/REGULAR MEETING
NOVEMBER 1, 2018
TENTATIVE AGENDA

1. Announcement of Winners of Halloween Decorating Contest
2. Approval of Minutes of October 18, 2018 Regular Meeting
3. Payment of Bills
4. Resolution regarding Best Practices Checklist
6. Resolution regarding Current Fund Transfer
7. Resolution authorizing Senior Citizen deduction for Block 36, Lot 1
8. Resolution regarding refund of Homestead Rebate for Block 32, Lot 4.02
9. Resolution regarding raffle license for VFW Post 10061
10. Resolution regarding raffle licenses for Borough of Lakehurst Historical Society
11. Resolution regarding shared services agreement with Ocean Prosecutor's Office for Drug Recognition Expert callout program
12. Resolution regarding shared services agreement with Ocean Prosecutor's Office for "Move Over" Law Enforcement Program
13. Resolution regarding shared services agreement with Ocean County Prosecutor's Office for Driving While Intoxicated Program

14. Resolution authorizing sale of Block 46, Lots 3.01, 3.02, and 3.03 after auction
13. Introduction and First Reading of Ordinance #18-16 entitled: “AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING AND SUPPLEMENTING CHAPTER V OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ANIMAL CONTROL”
14. Second Reading and Public Hearing of Ordinance #18-15 Introduction and First Reading of Ordinance #18-15 entitled: “AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING AND SUPPLEMENTING CHAPTER X OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED PARKS, LAKES AND RECREATION AREAS”
15. Executive/closed session to discuss personnel matters/contract negotiations

Bernadette Dugan, RMC/CPM
Municipal Clerk

The Mayor and Council reserve the right to add or delete items from the agenda.

**RESOLUTION
NOVEMBER 1, 2018**

WHEREAS, the governing body of the Borough of Lakehurst, in the County of Ocean and State of New Jersey has carefully examined all vouchers presented to the Borough Clerk for payment of claims; finding all to be accurate and legitimate;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the bills list as presented in the amount of \$496,315.86 is hereby approved.

I, Bernadette Dugan, Municipal Clerk, of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of November 1, 2018.

**_____
Bernadette Dugan, RMC
Municipal Clerk**

Batch Id: PLH Batch Type: C Batch Date: 11/01/18 Checking Account: CF G/L Credit: Budget G/L Credit
Generate Direct Deposit: N

Check No. PO #	Check Date Enc Date	Vendor # Item Description	Payment Amt	Street 1 of Address to be printed on Check Charge Account Description	Account Type	Status	Seq	Acct
18-00913	11/01/18	1 NOVEMBER 2018	234,865.00	8-01-55-900-002 SCHOOL TAXES PAYABLE	Budget	Aprv	1	1
			<u>234,865.00</u>					

Checks:	<u>Count</u>	<u>Line Items</u>	<u>Amount</u>
	1	1	234,865.00

There are NO errors or warnings in this listing.

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND APPROPRIATIONS	8-01	234,865.00	0.00	0.00	234,865.00
Total of All Funds:		<u>234,865.00</u>	<u>0.00</u>	<u>0.00</u>	<u>234,865.00</u>

G/L Posting Summary

Account	Description	Debits	Credits
8-01-101-01-001-001	Cash - TD Bank	0.00	234,865.00
8-01-207-55-000-005	School Taxes Payable	<u>234,865.00</u>	<u>0.00</u>
	Grand Total:	<u>234,865.00</u>	<u>234,865.00</u>

November 1, 2018
11:23 AM

Borough of Lakehurst
Check Register By Check Id

Page No: 1

Range of Checking Accts: CF to CF Range of Check Ids: 18732 to 18732
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
18732	11/01/18	L0098 LAKEHURST BOARD OF EDUCATION	234,865.00		3219

Report Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	1	0	234,865.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	<u>1</u>	<u>0</u>	<u>234,865.00</u>	<u>0.00</u>

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND APPROPRIATIONS	8-01	234,865.00	0.00	0.00	234,865.00
Total of All Funds:		<u>234,865.00</u>	<u>0.00</u>	<u>0.00</u>	<u>234,865.00</u>

October 31, 2018
11:13 AM

Borough of Lakehurst
Bill List By P.O. Number

PO #	PO Date	Vendor	Amount	Charge Account	Contract Acct Type	PO Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
18-00906	10/30/18	V0855 VERIZON									
		1 PHONE BILLS	339.70	8-01-31-440-275	B TELEPHONE		R	10/30/18	10/30/18		
		2 PHONE BILLS	<u>12.54</u>	8-01-31-440-275	B TELEPHONE		R	10/30/18	10/30/18		
			352.24								
18-00907	10/30/18	00145 OCEAN COUNTY UTILITIES									
		1 4TH QTR 2018 UTILITIES CHARGE	79,200.00	8-09-00-105-222	B CONTRACTUAL SERVICES		R	10/30/18	10/30/18		
18-00908	10/30/18	00284 OCEAN COUNTY DEPART OF FINANCE									
		1 COUNTY LEVY DUE 11/15/2018	160,216.38	8-01-55-900-001	B COUNTY TAXES PAYABLE		R	10/30/18	10/30/18		
18-00909	10/30/18	C0032 CERTIFIED SPEEDOMETER									
		1 INVOICE # 21006 8/14/18	156.00	8-01-25-240-299	B Police - Miscellaneous		R	10/30/18	10/30/18		21006
		2 INVOICE # 21098 10/5/18	<u>234.00</u>	8-01-25-240-299	B Police - Miscellaneous		R	10/30/18	10/30/18		21098
			390.00								
18-00910	10/30/18	E0033 EXTEL COMMUNICATIONS									
		1 PW PD & BORO HALL PHONE UPGRAD	5,742.00	C-04-00-557-001	B MUNICIPAL BUILDING IMPROVEMENTS (18-05)		R	10/31/18	10/31/18		56515
<hr/>											
Total Purchase Orders:		24	Total P.O. Line Items:		36	Total List Amount:		261,450.86	Total Void Amount:		0.00

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND APPROPRIATIONS	8-01	173,282.92	0.00	173,282.92	0.00	0.00	173,282.92
WATER & SEWER OPERATING	8-09	<u>82,425.94</u>	<u>0.00</u>	<u>82,425.94</u>	<u>0.00</u>	<u>0.00</u>	<u>82,425.94</u>
Year Total:		255,708.86	0.00	255,708.86	0.00	0.00	255,708.86
	C-04	5,742.00	0.00	5,742.00	0.00	0.00	5,742.00
Total of All Funds:		<u><u>261,450.86</u></u>	<u><u>0.00</u></u>	<u><u>261,450.86</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>261,450.86</u></u>

**RESOLUTION
NOVEMBER 1, 2018**

WHEREAS, the New Jersey Fiscal Year 2018 Appropriations Act (P.L. 2017, c.99) requires the Division of Local Government Services to determined how much of each municipality's final 5% allocation of its CMPTRA and ETR aid will be disbursed based upon the results of a Best Practices Inventory to be completed by each municipality; **and**

WHEREAS, the Best Practices Checklist was completed by Chief Financial Officer William Antonides, Jr. and submitted to the Division of Local Government Services; **and**

WHEREAS, said checklist contains 21 affirmative responses out of 25 questions resulting in receipt of 100% of the final 5% allocation of its CMPTRA and ETR aid.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the checklist was reviewed and accepted, **and**

BE IT FURTHER RESOLVED that the Municipal Clerk/Chief Administrative Officer and Chief Financial Officer will certify to the Division of Local Government Services that the Best Practices Checklist for the Borough of Lakehurst (municipal code 1513) was approved by the governing body at the council meeting of November 1, 2018.

CERTIFICATION

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, and State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the regular meeting held on the November 1, 2018.

**Bernadette Dugan, RMC/CPM
Municipal Clerk**

**RESOLUTION
NOVEMBER 1, 2018**

WHEREAS, a survey of the disbursements and anticipated commitments against the 2018 Current Fund Budget Appropriations reveals the need to transfer funds; **and**

WHEREAS, Title 40A:4-58 of the Revised Statutes of the State of New Jersey authorizes transfers commencing November 1 of the current year to March 31 of the next year.

Transfer From:

Sanitation – Salaries and Wages	\$ 30,000.00
TOTAL	\$ 30,000.00

Transfer To:

Telephone – Other Expenses	\$ 5,000.00
Gasoline – Other Expenses	5,000.00
Legal – Other Expenses	20,000.00
TOTAL	\$ 30,000.00

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the above stated transfer is hereby approved.

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the governing body at the meeting of November 1, 2018.

**Bernadette Dugan, RMC/CPM
Municipal Clerk**

RESOLUTION

**RESOLUTION BOROUGH OF LAKEHURST,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING SENIOR CITIZEN
DEDUCTION ON 2018 TAXES**

WHEREAS, the Tax Assessor has recommended the allowance of a senior citizen deduction for 2018 of \$ 250.00;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that a senior citizen deduction be allowed and credited against Block 36, Lot 1 for 2018 taxes.

CERTIFICATION

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of November 1, 2018.

Bernadette Dugan, RMC/CPM
Municipal Clerk

**RESOLUTION BOROUGH OF LAKEHURST,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING REFUND
OF TAXES DUE TO
HOMESTEAD REBATE CREDIT**

WHEREAS, the Tax Collector has received Homestead Rebate credits for 2018 taxes on an exempt property;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Lakehurst, County of Ocean, State of New Jersey as follows:

1.The Borough Council hereby authorizes the Tax Collector to process, without further action on the part of the governing body, a refund of a tax overpayment from Homestead Rebate credits of \$ 343.86 for Block 32, Lot 4.02.

CERTIFICATION

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of November 1, 2018.

Bernadette Dugan, RMC/CPM
Municipal Clerk

**RESOLUTION
NOVEMBER 1, 2018**

WHEREAS, VFW Post 10061 has applied for raffles license to conduct instant on-premise raffles awarding cash as a prize seven days a week from December 1, 2018 through December 1, 2019, **and**,

WHEREAS, the Statement of Findings and Determinations shows no reason why this license should not be issued,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Lakehurst, County of Ocean, State of New Jersey that the Raffles License for VFW Post 10061 is hereby approved.

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, hereby certify that the above resolution was approved by the governing body at the meeting of November 1, 2018.

**Bernadette Dugan, RMC/CPM
Municipal Clerk**

**RESOLUTION
NOVEMBER 1, 2018**

WHEREAS, the Borough of Lakehurst Historical Society, Inc. has applied for Raffles Licenses to conduct one on-premise draw raffle awarding cash as a prize and one on-premise draw raffle awarding merchandise as a prize scheduled for January 26, 2019 with a rain date of January 27, 2019, **and**,

WHEREAS, the Statement of Findings and Determinations shows no reason why these licenses should not be issued.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Lakehurst, County of Ocean, State of New Jersey that the Raffles License for the Borough of Lakehurst Historical Society, Inc. are hereby approved.

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, hereby certify that the above resolution was approved by the governing body at the meeting of November 1, 2018.

**Bernadette Dugan, RMC/CPM
Municipal Clerk**

**RESOLUTION
NOVEMBER 1, 2018**

WHEREAS, the Drug Recognition Expert Callout Program is a traffic safety program run by the Ocean County Prosecutor's Office for the purpose of utilizing a Drug Recognition Expert (D.R.E.C.P.) callout program to assist with identifying and removing Intoxicated drivers from the roadways; **and**

WHEREAS, the **D.R.E.C.P.** receives funding from the State of New Jersey and the County of Ocean; **and**

WHEREAS, the Prosecutor's Office and the Borough of Lakehurst have determined it to be in their mutual interest for the Borough of Lakehurst to designate certain police officers to be assigned to **D.R.E.C.P.**; **and**

WHEREAS, the Shared Services Act, N.J.S.A. 40A:8A-1 et seq., authorizes local units as defined in the Act to enter into joint agreements for the provision of governmental services, **and**

WHEREAS, the Borough of Lakehurst wishes to enter into an Interlocal Agreement with the Ocean County Prosecutor's Office for the purpose of setting forth the terms and conditions regarding the assignment of police officers employed by Borough of Lakehurst to the Prosecutor's Drug Recognition Expert Callout Program

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and the Municipal Clerk of the Borough of Lakehurst are hereby authorized and directed to enter into and execute an Intergovernmental Agreement with the Ocean County Prosecutor's Office for participation in the Prosecutor's Drug Recognition Expert Callout Program.
2. A copy of this Agreement shall be kept on file and be available for public inspection at the Office of the Borough Clerk.
3. This Agreement shall be effective from October 1, 2018 and shall remain in full force and effect through September 30, 2019.
4. A certified copy of this resolution shall be forwarded to the Ocean County Prosecutor's Office

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of November 1, 2018.

**Bernadette Dugan, RMC/CPM
Municipal Clerk**

**RESOLUTION
NOVEMBER 1, 2018**

WHEREAS, the “Move Over” Law Enforcement Program is a traffic safety program (also known as M.O.L.E.P. by the Ocean County Prosecutor’s Office for the purpose of identifying, educating and removing reckless drivers from roadways; **and**

WHEREAS, the Shared Services Act, N.J.S.A. 40A:8A-1 et seq., authorizes local units as defined in the Act to enter into joint agreements for the provision of governmental services, **and**

WHEREAS, the Borough of Lakehurst is desirous of entering into an Interlocal Agreement with the Ocean County Prosecutor’s Office for the purpose of setting forth the terms and conditions regarding the assignment of police officers employed by Borough of Lakehurst to the “Move Over” Law Enforcement Program.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and the Municipal Clerk of the Borough of Lakehurst are hereby authorized and directed to enter into and execute an Intergovernmental Agreement with the Ocean County Prosecutor’s Office for participation in the Prosecutor’s Program
2. A copy of this Agreement shall be kept on file and be available for public inspection at the Office of the Borough Clerk.
3. This Agreement shall be effective retroactively from October 1, 2018 and shall remain in full force and effect through September 30, 2019.
4. A certified copy of this resolution shall be forwarded to the Ocean County Prosecutor’s Office

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of November 1, 2019.

**Bernadette Dugan, RMC/CPM
Municipal Clerk**

**RESOLUTION
NOVEMBER 1, 2018**

WHEREAS, the Driving While Intoxicated Enforcement Program is a traffic safety program run by the Ocean County Prosecutor's Office for the purpose of identifying and removing intoxicated drivers from the roadways; **and**

WHEREAS, the Shared Services Act, N.J.S.A. 40A:8A-1 et seq., authorizes local units as defined in the Act to enter into joint agreements for the provision of governmental services, **and**

WHEREAS, the Borough of Lakehurst is desirous of entering into an Interlocal Agreement with the Ocean County Prosecutor's Office for the purpose of setting forth the terms and conditions regarding the assignment of police officers employed by Borough of Lakehurst to the Prosecutor's Driving While Intoxicated Enforcement Program.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lakehurst, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and the Municipal Clerk of the Borough of Lakehurst are hereby authorized and directed to enter into and execute an Intergovernmental Agreement with the Ocean County Prosecutor's Office for participation in the Prosecutor's Driving While Intoxicated Enforcement Program
2. A copy of this Agreement shall be kept on file and be available for public inspection at the Office of the Borough Clerk.
3. This Agreement shall be effective from October 1, 2018 and shall remain in full force and effect through September 30, 2019.
4. A certified copy of this resolution shall be forwarded to the Ocean County Prosecutor's Office

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of November 1, 2018.

**Bernadette Dugan, RMC/CPM
Municipal Clerk**

**RESOLUTION AUTHORIZING SALE AFTER AUCTION
NOVEMBER 1, 2018**

WHEREAS, pursuant to Resolution #18-142 an advertised auction was held and bids received by the Lakehurst Borough Municipal Clerk on September 6, 2018 for the sale of lots 3.01, 3.02 & 3.03 in Block 46 of the Borough; **and**

WHEREAS, the highest and best bid was received from Patrick McPartlin for \$126,500.00; **and**

WHEREAS, Patrick McPartlin has provided all deposits and has executed the contract of sale; **and**

WHEREAS, the Borough desires to authorize and approve the sale of lots 3.01, 3.02 & 3.03 in Block 46 to McPartlin.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that the Borough hereby authorizes the sale of the real property for \$126,500.00 subject to and conditional upon McPartlin's compliance with all of the terms and conditions of the contract;

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized and directed to execute closing necessary to effectuate the purposes of this Resolution; **and**

BE IT FURTHER RESOLVED, that this Resolution take effect immediately.

I, Bernadette Dugan, Municipal Clerk of the Borough of Lakehurst, County of Ocean, State of New Jersey, do hereby certify that the above resolution was approved by the Mayor and Council at the meeting of November 1, 2018.

**Bernadette Dugan, RMC
Municipal Clerk**

**“AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING AND
SUPPLEMENTING CHAPTER V OF THE REVISED GENERAL ORDINANCES OF THE
BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ANIMAL
CONTROL”**

#18-16

WHEREAS, the State of New Jersey encourages municipalities to promote sustainable programs;
and

WHEREAS, the concept of local sustainability has inspired an interest in backyard food production; and

WHEREAS, the keeping of “backyard chickens” is a means by which sustainability can be achieved: **and**

WHEREAS, pursuant to NJSA 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the Borough by law;

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Lakehurst, County of Ocean, State of New Jersey that:

Chapter 5 is hereby amended to provide for Section 5.9 Backyard Chickens and said section is hereby amended and revised as follows:

I.

SECTION 5-9.1. Purpose and Intent

The purpose of this ordinance is to provide appropriate standards and regulations for keeping chickens for noncommercial purposes within an urban residential environment. The ordinance establishes standards and limitations so as to avoid adverse impacts on neighboring properties and residents, and to provide for the health and safety of the chickens.

SECTION 5-9.2. Definitions and Rules of Construction:

Chicken—for the purpose of this code, a chicken (*Gallus domesticus*) refers only to a female chicken.

Coop—the covered house, structure or room that is required in order to provide chickens with shelter from the weather and with a roosting area protected from predators.

Chicken enclosure—means a fenced (or wire) area, or pen, required in association with a coop in order to

provide an outside exercise area for the chickens free from predators, and of a size that allows for access to a foraging area, sunlight, and natural space.

Repeat violation—shall mean as provided for in this section, a violation of the provision of this section by a person who has been previously found, through a code enforcement process or any other quasi-judicial or judicial process, to have violated, or who as admitted violating, the same provision within five years prior to the violation, notwithstanding that the violations may occur at different locations.

SECTION 5-9.3. Permitted Districts, Licensing & Enforcement:

(a) General Conditions for the keeping of chickens.

1. No person shall keep chickens in areas other than the R-1, R-2, and R-3 zoning districts, unless otherwise provided for in this section.
2. No person shall keep chickens on his/her property without first obtaining a license from the Borough Clerk's office and paying the required fee therefor. Every license issued shall expire on December 31st of each year. No license shall be issued unless the applicant has demonstrated compliance with all criteria set forth in this article.
3. A new licensee who was maintaining chickens as of the effective date of this Ordinance may be issued a license allowing such person(s) to come into compliance with this section through the natural expiration of their chickens.
4. A license fee of \$10.00 shall be paid for each license issued pursuant to this Article.
5. All first-time applicants and licensees shall attend an educational class on the basics of raising backyard chickens acceptable to the Chicken Advisory Board. Proof of completion must be presented with the completed application. The Chicken Advisory Board will provide a class or refer the applicant to an acceptable backyard chicken-keeping class as needed.
- 5 Chickens may be kept on an occupied single-family property within the zoning districts. Chickens may not be kept on duplex, triplex or multifamily properties. Chickens are allowed within manufactured home subdivisions, but are not allowed within mobile home/manufactured home parks.
6. Chickens must be kept within the coop or enclosure at all times. Chickens may roam outside of the coop area in a back yard suitably fenced to keep them contained provided that a resident age eighteen (18) or older is present the entire time.
7. No ducks, geese, turkeys, peafowl, or male chickens or roosters, or any other poultry or fowl may be kept under the provisions of this Section of the Code.
8. Chickens shall be kept for personal use only. The selling of chickens, eggs or chicken manure, or the breeding of chickens for commercial purposes is prohibited.
9. The slaughtering of chickens on premises is not allowed.

(b) Location and Requirements for Chicken Coops and Enclosures.

1. Any chicken coop and fenced enclosure must be located in the rear yard. No coop, enclosure or chickens shall be allowed in any front or side yard. (Corner lots shall be excluded from the side setback restriction).

2. If the coop structure exceeds 100 square feet in size (10 foot by 10 foot), a building permit is required to be obtained from the Borough of Lakehurst. The coop and run structure shall not exceed 25% of the available back yard area.

3. The coop shall be covered and ventilated, and a fenced enclosure or run is required. The coop and enclosure must be completely secured from predators, including all openings, ventilation holes, doors and gates.

4. All enclosures for the keeping of chickens shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure. A covered enclosure or fenced enclosure shall not be located closer than fifteen (15) feet to any door or window of any dwelling or inhabitable structure other than the owner's dwelling.

5. All stored feed must be kept in rodent and predator-proof containers.

6. The coop shall provide a minimum of three (3) square feet per chicken and be of a sufficient size to permit free movement of the chickens. The coop may not be taller than seven (7) feet, measured from the natural grade, and must be easily accessible for cleaning and maintenance.

(c) Health, Sanitation and Nuisance as applied to the keeping of chickens.

1. Chickens shall not be permitted to trespass on neighboring properties, be released or set free, and shall be kept within a coop and enclosure.

2. Chicken coops and enclosures shall be maintained a clean and sanitary condition at all times. Chickens shall not be permitted to create a nuisance consisting of odor, noise or pests, or contribute to any other nuisance condition.

3. Waste shall be handled properly to prevent offensive odors and disposed of in an environmentally-friendly manner.

(d) Enforcement

Creation of the Chicken Advisory Board; Complaints.

A: A Chicken Advisory Board consisting of three (3) members of the community shall be formed. The Chair will be appointed to a one (1) year term by the Mayor. The Chair will select two (2) other members, with approval of the Governing Body, who will also serve for one (1) year.

B: The Chicken Advisory Board shall assist first-time chicken owners by providing or recommending educational classes and assistance, as well as provide continuing educational opportunities from time to time.

C: The Chicken Advisory Board shall oversee compliance with all issued licenses. Any complaints

received by the Borough shall be forwarded to the Board, who shall investigate said complaint. If the Board finds a violation of this Section, solutions will be discussed with the offending resident to allow them to meet the requirements of the Section. If after thirty (30) days the violation has not been rectified, the complaint will be forwarded to the Code Enforcement Officer for investigation and compliance.

1. Enforcement regarding the keeping of chickens within any zoning district is addressed within this Section.

2. In addition to any other penalties, fines and other enforcement options available pursuant to the Borough of Lakehurst Code, the Borough reserves the right to seek revocation of any permit or license granted under this section and/or initiate prosecution for the enforcement of any civil infraction violation provided for under applicable law.

3. In a public health emergency declared by the Administrator of the Borough of Lakehurst, including but not limited to an outbreak of Avian Flu or West Nile virus, immediate corrective action may be required, in accordance with applicable public health regulations and procedures and in conjunction with Animal Services.

4. No person convicted as a repeat violator of Sections 3(a) through (d) of this Code may be permitted to, or continue to, keep chickens on their premises. Repeat violators are defined in Section 2 of this Code.

(e) Additional permitted locations for the keeping of Chickens

1. Notwithstanding the provisions of this section 5-9.3 to the contrary, any resident who resides in a pre-existing non-conforming residence located in a non-residential zone, may apply to the Chicken Advisory Board to keep Chickens as otherwise provided for in Section 5.9. The Chicken Advisory Board may issue a license to allow for the keeping of Chickens at such a location only upon proof being submitted, satisfactory to the Chicken Advisory Board, that the keeping of Chickens at the site shall be in accord with the provisions of Section 5.9.

II. All sections of Chapter 5 not amended hereunder shall remain in full force and effect.

III. In the event any section, part or provision of this Ordinance shall be held unconstitutional or in valid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

IV. All ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

V. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

Harry Robbins, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of Lakehurst, in the County of Ocean, held on the 1st day of November, 2018 and will be considered for second reading and final passage at the regular meeting of said governing body to be held on the 6th day of December, 2018 at 7:30 p.m. in the Lakehurst Community Center, Corner of Pine & Center Streets, Lakehurst, New Jersey at which time and place any person desiring to be heard will be given an opportunity to be so heard.

Bernadette Dugan, RMC/CPM
Municipal Clerk

ORDINANCE

“AN ORDINANCE OF THE BOROUGH OF LAKEHURST AMENDING AND SUPPLEMENTING CHAPTER X OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LAKEHURST, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED PARKS, LAKES AND RECREATION AREAS”

#18-15

WHEREAS the Mayor and Council of the Borough of Lakehurst are desirous of making certain amendments to the fee structure last revisited in 2012 for use of the Community Center; **and**

WHEREAS the Mayor and Council of the Borough of Lakehurst also want to make certain that the Community Center is maintained and used for the benefit of Borough residents without damage or permitting improper and undesirable uses; **and**

WHEREAS the Mayor and Council of the Borough of Lakehurst have determined that Article X of the Borough Code, entitled “Parks Lakes and Recreation Areas” Section 10-2 entitled “Rental of the Lakehurst Community Center for Private Purposes” be amended;

NOW THEREFORE BE IT ORDAINED by the Mayor & Council of the Borough of Lakehurst, County of Ocean and State of New Jersey as follows:

I. Section 10-2.4 is hereby amended by striking the word “can” and replacing it with the word “may” and to permit both residents and non-residents to rent in the first sentence as follows:

The Community Center may be rented by both residents and non-residents of the Borough of Lakehurst with residents receiving priority for rental as determined by the Borough Clerk.

II. Section 10-2.4 is further amended by making the first paragraph subsection (i) and adding the following paragraphs as subsection (ii) and subsection (iii):

(ii) Notwithstanding any provision provided for elsewhere in the Municipal Code, the Community Center may only be rented one time within a 365-day period by a resident who is otherwise permitted to rent the Community Center for free.

(iii) Activities such as parties with adult entertainment including but not limited to the showing of adult films or providing adult dancing, horseplay, disorderly conduct, abusive and/or obscene behavior, ball playing, roller blading, skate boarding, tents or barbecue grills are not permitted and strictly prohibited in or around the building.

III. Section 10-2.6 is hereby deleted and replaced to provide as follows:

The Borough of Lakehurst rents out the use of the Community Center for private use on Friday evenings, Saturdays and Sundays. The hall is available on Friday evenings from 5:00 p.m. until midnight. On Saturdays and Sundays, the hall is available for all day until 12 midnight. The cost per session is \$400.00 rental fee for residents and \$500.00 rental fee for non-residents in addition to a \$200 refundable security deposit if the hall has been cleaned and the tables and chairs arranged in the manner indicated by the diagram of the floor plan posted on the wall of the Community Center and accompanied with the rental agreement. Information concerning hall rental and availability is available at the Municipal Clerk's office at (732) 657-4141. Payments can be made by cash, money order, certified check, cashier's check or personal check. Payment in full must be made within two weeks of reservation. It is suggested that reservations be made at least six months in advance for optimum availability.

FEES FOR USE:

The following fees shall be paid to the Borough Clerk of the Borough of Lakehurst for the use of the Community Center in the form of cash, money order, certified check, cashier's check or personal check made payable to the Borough of Lakehurst.

Type of Use:	Fee:
Lakehurst Non-profit organization meeting fee	\$0.00
Lakehurst Non-profit organization special event (i.e., dance, dinner, flea market)	\$50.00
Rental to residents	\$400.00
Rental to non-residents	\$500.00
Security Deposit (except for Lakehurst Non-profit organization)	\$200.00
Cancellation Fee 7 days or less notice	\$50.00

IV. All sections of Chapter X not amended hereunder shall remain in full force and effect.

V. In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

VI. All ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

VII. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

Harry Robbins, Mayor

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on first reading at the regular meeting of the Borough Council of the Borough of Lakehurst, in the County of Ocean, held on the 18th day of October, 2018 and will be considered for second reading and final passage at the regular meeting of said governing body to be held on the 1st day of November, 2018 at 7:30 p.m. in the Lakehurst Community Center, 207 Center Street, Lakehurst, New Jersey at which time and place any person desiring to be heard will be given an opportunity to be so heard.

Bernadette Dugan, RMC/CPM
Municipal Clerk